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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:**

LINDERS et al.

SERIAL NO.: 10/522,094

FILING DATE: January 24, 2005

TITLE: CLUBROOT RESISTANT BRASSICA  
OLERACEA PLANTS

GROUP ART UNIT: 1638

EXAMINER: ROBINSON, Keith O'Neal

CONFIRMATION NO.: 9236

ATTORNEY DOCKET NO.: 70059USPCT

**FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the reference cited on the attached Form PTO-1449. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. Copies of the references listed on the attached Form PTO-1449 are enclosed herewith.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

Identification of the listed references are not to be construed an admission of Applicants or Agents for Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed Form PTO-1449.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. However, the Commissioner is authorized to charge any fee under 37 C.F.R. §1.17 that may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,



Bruce Vrana  
Attorney for Applicants  
Registration No 38,672  
Telephone No.: 919-541-8614

Syngenta Biotechnology, Inc.  
3054 East Cornwallis Road  
Research Triangle Park, NC 27709-2257

Date: March 27, 2007



Attorney Docket No. 70059USPCT  
U.S. Serial No. 10/522,094

**FILING BY "FIRST CLASS MAIL" UNDER 37 C.F.R. § 1.8**

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 27, 2007.

- 1) Fourth Supplemental Information Disclosure Statement (2 pages total)
- 2) FORM PTO-1449 (1 sheet)
- 3) Cited References C, D, E, and F
- 4) Return Postcard

Melissa Hardy  
Name

Melissa Hardy  
Signature

FORM PTO-1449  
(REV. 7-85)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)



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70059USPCT  
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**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO
	B						

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent pages, Etc.)

C	Sadao Nishi, "Hakuran, an Interspecific Hybrid Between Chinese Cabbage and Common Cabbage," in Chinese Cabbage, Proceedings of the First International Symposium, Asian Vegetable Research and Development Center, Tsukuba, Japan (1981), pp. 385-391.
D	Hiroaki Yoshikawa, "Breeding for Clubroot Resistance in Chinese Cabbage," in Chinese Cabbage, Proceedings of the First International Symposium, Asian Vegetable Research and Development Center, Tsukuba, Japan (1981), pp. 405-413.
E	Yasuo Matsuzawa, "Studies on the Interspecific Hybridization in Genus <i>Brassica</i> II. Crossability in Interspecific Cross, <i>B.oleracea</i> L. x <i>B.campestris</i> L.," <i>Japan. J. Breed.</i> , 33(3), pp. 321-330, 1983.
F	M.S. Chiang and R. Crête, "Male Fertile and Male Sterile Cabbage, Broccoli, and Cauliflower Clubroot Resistant Breeding Lines," <i>Hortscience</i> , 20(3), pp. 457-458, 1985.

EXAMINER	DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.